

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PAUL MEINHART,

Plaintiff,

VS.

HALLIBURTON ENERGY SERVICES,
INC., *et al.*,

Defendants.

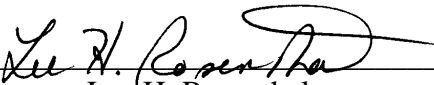
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CIVIL ACTION NO. H-11-0073

ORDER

The record is insufficient to determine whether the plaintiff has a reasonable basis to recover under the Jones Act as a borrowed employee. *See Lackey v. Atl. Richfield Co.*, 990 F.2d 202, 207–08 (5th Cir. 1993). The cases emphasize the importance of control over the plaintiff, but the affidavits do not sufficiently address whether BP actually exercised control over the plaintiff. *See, e.g., Melancon v. Amoco Prod. Co.*, 834 F.2d 1238, 1244–45 (5th Cir. 1988). The parties may provide supplemental affidavits or other materials no later than **Wednesday, March 30, 2011**.

SIGNED on March 28, 2011, at Houston, Texas.



Lee H. Rosenthal
United States District Judge